

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred House bill No. 44, A bill to be entitled "An Act to amend Article 4832 of the Revised Civil Statutes of Texas, 1911."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

CARTER, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 445, A bill to be entitled "An Act to authorize guardians of estates to make mineral leases, and prescribing the manner in which said mineral leases shall be made, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CARTER, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

House bill No. 408, A bill to be entitled "An Act defining and enlarging the powers of corporations organized under Chapter CXVII of the General Laws of the Twenty-sixth Legislature of the State of Texas, approved May 15, 1899, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLLINS, Chairman.

PETITIONS AND MEMORIALS.

By Senator Townsend:

Petition signed numerously by citi-

zens of Huntington, Texas, asking that the Legislature submit the question of amending the Constitution so that idle lands may be taxed on a basis equivalent to their full rental value, provisions for same being incorporated in the bill introduced by Senator Paulus.

FORTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, March 18, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.

Absent.

Hudspeth.	Wiley.
Morrow.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Johnson.

(See Appendix for petitions and memorials and standing committee reports.)

EXCUSED.

On account of important business:
Senator Hudspeth, for today, on motion of Senator Willacy.

Senator Gibson, for non-attendance on yesterday, on motion of Senator Darwin.

On account of sickness:
Senator Wiley, indefinitely, on motion of Senator Carter.

Senator Morrow, for non-attendance on yesterday, and for today and tomorrow, on motion of Senator Carter.

BILLS AND RESOLUTIONS.

By Senators Vaughan, Gibson, Bailey, Kauffman, Darwin, Nugent, McGregor, Weinert, Watson, Carter, Hudspeth, Terrell, Real:

Senate bill No. 464, A bill to be entitled "An Act to authorize any interurban railway company, heretofore or hereafter incorporated under the laws of this State, and any street railway company, owning and operating an interurban line of railway between any cities or towns in this State, and incorporated under the laws of this State to purchase or otherwise acquire, maintain and operate all the properties and franchises of street railway companies and suburban railway companies heretofore or hereafter incorporated under the laws of this State; and to authorize such street railway companies and suburban railway companies to sell their properties and franchises to such interurban railway companies and to such street railway companies owning and operating an interurban line of railway between any cities or towns in this State; and to authorize any street railway company and any suburban railway company heretofore or hereafter incorporated under the laws of this State, to purchase or otherwise acquire, maintain and operate all the properties and franchises of interurban railway companies owning and operating an interurban line of railway between any cities or towns in this State, and incorporated under the laws of this State; and to authorize interurban railway companies, heretofore or hereafter incorporated under the laws of this State, and street railway companies owning and operating an interurban line of railway, between any cities or towns in this State to sell all their properties and franchises to such street railway companies and to such suburban railway companies; and repealing so much of any and all laws as may be in conflict herewith."

Read first time and referred to Committee on Internal Improvements.

By Senator Brelsford:

Senate bill No. 465, A bill to be entitled "An Act to create a more efficient road system for Stephens county, Texas, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Kauffman:

Senate bill No. 466, A bill to be entitled

"An Act to create a more efficient road law for Wharton county; fixing the per diem of the members of the commissioners court when acting as road commissioners; prescribing an allowance for team hire for members of said court, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Lattimore:

Senate Joint Resolution No. 23, Proposing the repeal of Section 5 of Article 11 of the Constitution of the State of Texas, providing for cities of more than five thousand inhabitants to adopt their charters by a vote of the people, and adopting in lieu thereof as Section 5, that the Legislature may grant cities and towns of more than five thousand inhabitants a special charter."

Read first time and referred to Committee on Constitutional Amendments.

By Senator Vaughan:

Senate Concurrent Resolution No. 15, Favoring adjustment of the tariff of imported spirits and imported beers, and the internal revenue taxes levied on domestic products."

Read first time and referred to Committee on Federal Relations.

By Senators Lattimore and others:

Senate Concurrent Resolution No. 16, Endorsing Hon. Clark James for position as a Commissioner to the Philippine Islands."

Read first time and Referred to Committee on Federal Relations.

SIMPLE RESOLUTION.

By Senator Lattimore:

Be it Resolved, That from and after this date no Senator shall be permitted to speak at any one time upon any bill or other subject more than ten minutes except by unanimous consent or a vote of two-thirds of the Senators present.

Senator Townsend offered the following amendment, which was read and adopted:

Amend the resolution by striking out the words "two-thirds" and insert in lieu thereof "majority."

Senator Lattimore moved the adoption of the resolution, and Senator Watson moved that same be referred to the Committee on Rules, which motion was adopted.

SIMPLE RESOLUTION.

By Senator Johnson:

Whereas, Dr. J. H. Fulkerson, five years vice consul to Japan, and now national organizer in the anti-white slave movement, will address the House of Representatives at 1:30 today.

Resolved, That the Senate accept the opportunity to be present and listen to his address upon this very live question, affecting legislation now pending before the Legislature.

The resolution was read and adopted.

RELATING TO CONSIDERATION OF CERTAIN BILLS.

Austin, Texas, March 18, 1913.

Hon. W. H. Mayes, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred the following simple resolution:

Whereas, There is a prospective near approach of the close of this Regular Session; and

Whereas, It is evident that there will necessarily be a called session at which the Governor can submit for consideration such subjects as he chooses; and

Whereas, The subjects of the following bills are of general importance, and are entitled to first consideration on account of their importance; therefore, be it

Resolved by the Senate, That the following special rule be adopted:

The following bills shall have precedence in consideration over all others in the order named and shall be taken up and considered until they are finally disposed of, and may be displaced only by matters entitled to consideration as being specially privileged, to wit:

House bill No. 245, House bill No. 14, Senate bill No. 221, Senate bill No. 199, Senate Joint Resolution No. 13, Senate Joint Resolution No. 5, Senate Joint Resolution No. 1,

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it be adopted, with the following amendments:

Amerd by striking out "Senate Joint Resolution No. 13," "Senate Joint Resolution No. 5," "Senate Joint Resolution No. 1."

LATTIMORE, Chairman.

Senator Watson gave notice of minority report.

Austin, Texas, March 18, 1913.

Hon. W. H. Mayes, President of the Senate.

Sir: We, a minority Committee on Rules, to whom was referred the above simple resolution, have had the same under consideration, and we, the minority, beg leave to report it back to the Senate with the recommendation that it be not adopted.

WATSON.
MURRAY.

The above committee reports, majority (favorable with amendment) and (adverse) minority, were read, and Senator Watson moved that the Senate rule requiring committee reports to lie over for one day be suspended, for the purpose of considering this resolution.

The motion prevailed.

Action then recurred on the committee report, and Senator Watson moved to substitute the minority (adverse) committee report in lieu of the majority (favorable, with amendment), which motion prevailed by the following vote:

Yeas—15.

Astin.	Murray.
Bailey.	Nugent.
Conner.	Paulus.
Cowell.	Terrell.
Gibson.	Watson.
Kauffman.	Weinert.
McGregor.	Willacy.
McNealus.	

Nays—9.

Carter.	Townsend.
Collins.	Vaughan.
Darwin.	Warren.
Lattimore.	Westbrook.
Taylor.	

Present—Not Voting.

Brelsford.	Greer.
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Absent.

Morrow.

PAIRED.

Senator Johnson (present), who would vote "nay," with Senator Hudspeth (absent), who would vote "yea."

Senator Real (present), who would vote "yea," with Senator Wiley (absent), who would vote "nay."

INVITATION TO ATTEND ENTERTAINMENT.

Austin, Texas, March 18, 1913.

To the Members of the Senate of the Thirty-third Legislature.

You are respectfully invited to attend an entertainment to be given by the pupils of the Texas School for the Deaf in the institution chapel Thursday night, March 20, 1913, at 8 o'clock.

The families and friends of the Senators are cordially invited. This entertainment is given complimentary to the Texas Legislature.

S. J. THOMAS,
Superintendent of Texas School for the Deaf.

On motion of Senator Taylor the invitation was accepted.

HOUSE BILL NO. 245—REFUSE TO MAKE SPECIAL ORDER.

Senator Brelsford moved that House bill No. 245 be made a special order for tomorrow morning immediately after the conclusion of the morning call.

The motion was lost by the following vote:

Yeas—13.

Brelsford.	McNealus.
Carter.	Taylor.
Collins.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Greer.	Westbrook.
Lattimore.	

Nays—14.

Astin.	Nugent.
Bailey.	Paulus.
Conner.	Real.
Gibson.	Terrell.
Kauffman.	Watson.
McGregor.	Weinert.
Murray.	Willacy.

Absent—Excused.

Morrow. Wiley.

PAIRED.

Senator Johnson (present), who would vote "yea," with Senator Hudspeth (absent), who would vote "nay."

SIMPLE RESOLUTIONS.

(By Unanimous Consent.)

By Senator Lattimore:

Whereas, The Hon. Oscar Calloway, Congressman from the Twelfth District of Texas is in the Capitol, therefore, be it

Resolved, That he be invited to address the Senate and that he be accorded the privileges of the floor for the day.

LATTIMORE.
CONNER.

The Chair appointed Senators Lattimore, Brelsford and Conner to escort Congressman Calloway to the President's stand, whereupon he addressed the Senate.

By Senator Astin:

Whereas, The Hon. W. C. Davis, a former distinguished member of the House of the Thirtieth and Thirty-first Legislatures is now in the gallery, be it

Resolved, By the Senate that he be invited to address the Senate and that the privileges of the floor of the Senate be extended to him.

ASTIN.
TERRELL.

The resolution was read and adopted.

SIMPLE RESOLUTION.

By Senator Townsend:

I move that House bill No. 14, A bill to provide for a more strict regulation of the liquor traffic be set down for special order on Thursday morning, March 20, 1913, after the morning call.

The above resolution was read and Senator Terrell made the point of order that a bill could not be made a special order before the bill was before the Senate, and that this bill, not being before the Senate, could not be made a special order unless the regular order of business was suspended.

The Chair overruled the point of order.

Senator Watson made the point of order that the resolution could not be considered at this time as the morning call had not been concluded, and the Chair sustained the point of order.

SIMPLE RESOLUTION.

By Senator Townsend:

Whereas, This body is encumbered by

a set of rules that retard rather than promote legislation, adopted temporarily until the Committee on Rules should report; therefore, be it

Resolved, By the Senate that the Committee on Rules be required and directed to report on the rules of this body within two days from this date.

The resolution was read, and Senator Watson moved that it be referred to Committee on Rules, which motion prevailed by the following vote:

Yeas—14.

Astin.	Nugent.
Conner.	Paulus.
Gibson.	Real.
Kauffman.	Terrell.
Lattimore.	Watson.
McGregor.	Weinert.
Murray.	Willacy.

Nays—12.

Bailey.	McNealus.
Carter.	Taylor.
Collins.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Greer.	Westbrook.

Absent.

Brelsford.	Johnson.
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Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

House Concurrent Resolution No. 22, Recalling House bill No. 22 from the Governor, for further consideration.

Senate Concurrent Resolution No. 14.

House concurs in Senate amendments to House bill No. 319.

Also concurs in Senate amendments to House bill No. 144.

Also concurs in Senate amendments to House bill No. 21, by the following vote: Yeas, 118; Nays, 1.

Also, the House concurs in Senate amendments to House bill No. 46.

Also, the House concurs in Senate amendments to House bill No. 248, by the following vote: Yeas, 106; Nays, 0.

The House adopts Free Conference Committee report on Senate bill No. 31.
Respectfully,

W. R. LONG,
Chief Clerk, House of Representatives.

FREE CONFERENCE COMMITTEE
REPORT ON SENATE BILL NO. 31.

Austin, Texas, March 13, 1913.

Hon. Will H. Mayes, President of the Senate, and Hon. Chester H. Terrell, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed on the part of the Senate and House to adjust the differences between the two Houses on Senate bill No. 31, have had same under consideration and we beg to submit the following report, to wit:

We recommend that Senate bill No. 31, as passed by the Senate, also be passed by the House, with the following amendment, to wit: By striking out Section 1 of the original Senate bill No. 31, and inserting in lieu thereof the substitute Section 3, to read as follows:

"Section 3. To constitute indigency, within the meaning of this chapter, neither applicant nor his wife, if the applicant be a married man, nor both together, nor the widow, if the applicant be a widow, shall own property, real or personal, exceeding in value one thousand dollars, exclusive of the homestead, if the owner of a homestead, and if its value be not in excess of one thousand dollars, and exclusive of household goods and wearing apparel; and such applicant shall not be in the enjoyment of an annual income, annuity, the emoluments of an office or wages for his or her services in excess of three hundred dollars per year, nor in receipt of aid or of a pension from any State or the United States, or from any other public source, nor an inmate of the Confederate Home or other public institution at the expense of the State. Persons who are not indigent under the foregoing definition shall not be entitled to a pension under this chapter."

And that House bill No. 25 as passed by the House be passed by the Senate with Section 3 eliminated, with the sections re-numbered in accordance therewith.

We recommend that instead of passing the two bills in one raising the revenue for the purpose of Confederate pensions and in granting the pensions,

be divided and passed in two laws, with the above recommendation.

TAYLOR.
COLLINS.
NUGENT.
GIBSON.

On the part of the Senate.

PADDOCK.
WOODS of Navarro.
MORRIS.
OWSLEY.
MACGILL.

On the part of the House.

The above report was read and, on motion of Senator Taylor, adopted by the following vote:

Yeas—26.

Astin.	Murray.
Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McGregor.	Westbrook.
McNealus.	Willacy.

Absent.

Hudspeth. Johnson.

Absent—Excused.

Brelsford. Wiley.
Morrow.

FREE CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 4.

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate, and Hon. Chester H. Terrell, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred Senate bill No. 4, beg leave to report that we have had same under consideration and recommend that the Senate concur in House amendments, and we further recommend the adoption of the following amendment:

Amend by striking out of Section 3 the last sentence which reads as fol-

lows: "This section shall apply also to and inure to the benefit of the contractor, where the sewage disposal of a city or town is in the hands of an independent contractor," and insert in lieu thereof the following: "Any person, firm or corporation, private or municipal, coming under or affected by the terms of this bill or any independent contractor having the disposal of the sewage of any city or town shall have three years within which to make other arrangements for the disposal of such sewage or other matter which may pollute the water as defined in this bill."

Respectfully submitted,

WARREN.
ASTIN.
BAILEY.
WILLACY.
GREER.

On the part of the Senate.

WORTHAM.
MILLS.
McKAMY.
RITCHIE.
HENRY of Wichita.

On the part of the House.

The above report was read and adopted by the following vote:

Yeas—23.

Astin.	Nugent.
Bailey.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
McGregor.	Westbrook.
McNealus.	Willacy.
Murray.	

Nays—4.

Carter.	Lattimore.
Collins.	Townsend.

Absent.

Brelsford.

Absent—Excused.

Hudspeth. Wiley.
Morrow.

Senator McNealus moved to reconsider the vote by which the Free Conference Committee report was adopted and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 199—MADE SPECIAL ORDER.

Senator Warren offered the following resolution:

Resolved, That Senate bill No. 199, which is a bill seeking to raise the age of consent, be made special order for Friday morning immediately after the morning call.

The above resolution was read, and there was objection, and on motion of Senator Warren, the pending order of business was suspended, and the Senate took up, out of its order, Senate bill No. 199, by the following vote:

Yeas—22.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.

Nays—3.

Astin.	Watson.
Murray.	
	Absent.
Brelsford.	McNealus.
	Absent—Excused.
Morrow.	Wiley.

PAIRED.

Senator Johnson (present), who would vote "yea," with Senator Hudspeth (absent), who would vote "nay."

Senate bill No. 199 was then made a special order for Friday morning.

Morning call concluded.

SENATE BILL NO. 246.

The Chair laid before the Senate, on second reading and pending business.

Senate bill No. 246, A bill to be entitled "An Act to define, regulate and control fraternal beneficiary societies; defining lodge system and representative form of government; providing for the issuance of certificates and the investment and distribution of funds; limiting membership and beneficiaries in said societies; naming the duties and authority of the

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Commissioner of Insurance and Banking; fixing an annual license and way to cancel same; providing for the valuation of policies and how to ascertain the solvency of said societies; regulating foreign and certain domestic societies; providing that beneficiary associations heretofore organized, shall be subject to the provisions of this law; repealing Chapter 36, Acts of the First Called Session of the Thirty-first Legislature, and Chapter 22, Acts of the Second Called Session of the Thirty-first Legislature, and Chapter 2, Acts of the Regular Session of the Thirty-second Legislature, and all other laws in conflict therewith, and declaring an emergency."

The bill was read, and Senator Lattimore offered the following amendment, which was read and adopted:

Amend bill, page 25, line 14, by striking out word "hazardous."

The bill was read second time and was ordered engrossed.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Johnson.	Watson.
Lattimore.	Westbrook.
McGregor.	Willacy.

Absent.

Bailey.	McNealus.
Brelsford.	Vaughan.
Kauffman.	Weinert.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

The bill was read third time and was passed by the following vote:

Yeas—24.

Astin.	Gibson.
Carter.	Greer.
Collins.	Johnson.
Conner.	Lattimore.
Cowell.	McGregor.
Darwin.	McNealus.

Murray.
Nugent.
Paulus.
Real.
Taylor.
Terrell.

Townsend.
Vaughan.
Warren.
Watson.
Westbrook.
Willacy.

Absent.

Bailey.
Brelsford.

Hudspeth.
Weinert.

Absent—Excused.

Kauffman.
Morrow.

Wiley.

Senator Lattimore moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 462.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 462, A bill to be entitled "An Act to amend Sections 4 and 5 of Article 4, of Chapter 33, Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith,' so as to provide for the issuance of bonds not to run for a period longer than forty years and not to exceed ten per cent of the assessed value of all taxable property, real, personal and mixed in the city of Denison, Texas, and declaring an emergency."

The committee report, which provided that the bill be not printed was adopted.

The bill was read second time and ordered engrossed.

On motion of Senator Cowell, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	McGregor.
Carter.	McNealus.
Collins.	Murray.
Conner.	Nugent.
Cowell.	Paulus.
Darwin.	Real.
Greer.	Taylor.
Johnson.	Terrell.
Kauffman.	Townsend.
Lattimore.	Vaughan.

Warren.
Watson.

Westbrook.
Willacy.

Absent.

Bailey.
Brelsford.

Gibson.
Weinert.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

The bill was read third time and passed by the following vote:

Yeas—27.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Westbrook.
Lattimore.	Willacy.
McGregor.	

Absent.

Weinert.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

Senator Cowell moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 11.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 11, A bill to be entitled "An Act to amend Chapter 126 of the Acts of the Regular Session of the Twenty-eighth Legislature, entitled 'An Act to provide for the protection of honey bees against foul brood and other contagious diseases, and providing that all beekeepers report to the State Entomologist when infectious diseases exist; providing for collecting the expense of eradicating the disease and fixing the charges upon the owner or agent of the bees; providing for the extermination of all contagious diseases; and providing penalties for the violation of any of the provisions of this act, and declaring an emergency.'"

On motion of Senator Murray, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

The bill was read third time and passed by the following vote:

Yeas—28.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

Senator Murray moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 221.

Senator Lattimore called for Senate bill No. 221, holding that it was pending business under a special order, having been passed to engrossment on yesterday and the Senate refused to suspend the constitutional rule.

Senator Watson made the point of order that the bill was not pending business as a special order, for the Senate had considered same on yesterday, and passed same to engrossment, holding that action was in compliance with the special order.

By request the Chair withheld a ruling until the afternoon session.

SENATE BILL NO. 432.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 432, A bill to be entitled "An Act to amend Chapter 68, of the Thirty-second Legislature, and to provide that sand taken for the raising of the grade on Galveston Island shall be exempted from the provisions of Chapter 68, and providing an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Kauffman, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.
McNealus.	

Absent.

Johnson.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

The bill was read third time and passed by the following vote:

Yeas—27.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.
McNealus.	

Absent.

Johnson.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

Senator Kauffman moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 443.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 443, A bill to be entitled "An Act to amend Section 16 of Chapter 21 of the local and special laws of the Thirty-first Legislature, Regular Session, approved March 8, 1909, entitled 'An Act to repeal Chapter 31 of the local and special laws of the Thirtieth Legislature of Texas, creating a special road system for Williamson county, Texas, and declaring an emergency.'"

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and was ordered engrossed.

On motion of Senator McGregor, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Gibson.
Bailey.	Greer.
Brelsford.	Kauffman.
Carter.	Lattimore.
Collins.	McGregor.
Conner.	McNealus.
Cowell.	Murray.
Darwin.	Nugent.

Paulus.	Warren.
Real.	Watson.
Taylor.	Westbrook.
Terrell.	Weinert.
Townsend.	Willacy.
Vaughan.	

Absent.

Johnson.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

The bill was read third time and was passed by the following vote:

Yeas—27.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.
McNealus.	

Absent.

Johnson.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

Senator McGregor moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE CONCURRENT RESOLUTION
NO. 22.

The Chair laid before the Senate, House Concurrent Resolution No. 22, Requesting the Governor to return to the House, House bill No. 22 for further consideration.

The resolution was read and adopted.

REFUSE TO MAKE SENATE BILL
NO. 387 SPECIAL ORDER.

Senator Gibson asked unanimous consent to take up Senate bill No. 387, and there was objection, and Senator Gibson moved that the pending order of business be suspended, and the Sen-

ate take up, out of its order, Senate bill No. 387.

The motion was lost by the following vote, a two-thirds vote being necessary:

Yeas—15.

Bailey.	Real.
Brelsford.	Taylor.
Carter.	Terrell.
Cowell.	Townsend.
Gibson.	Warren.
Kauffman.	Watson.
Murray.	Weinert.
Paulus.	

Nays—12.

Astin.	Lattimore.
Collins.	McNealus.
Conner.	Nugent.
Darwin.	Vaughan.
Greer.	Westbrook.
Johnson.	Willacy.

Absent.

McGregor.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

SENATE BILL NO. 459.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 459, A bill to be entitled "An Act to amend an act to create a more efficient road system for Gonzales county, Texas, and making the county commissioners ex-officio road commissioners, fixing their salaries and prescribing their duties, and declaring an emergency, passed by the Regular Session of the Thirty-third Legislature, and approved by the Governor March 5, A. D. 1913."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and was ordered engrossed.

On motion of Senator Weinert, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	Cowell.
Bailey.	Darwin.
Brelsford.	Gibson.
Carter.	Greer.
Collins.	Johnson.
Conner.	Kauffman.

Lattimore.	Terrell.
McGregor.	Townsend.
McNealus.	Vaughan.
Murray.	Warren.
Nugent.	Watson.
Paulus.	Weinert.
Real.	Westbrook.
Taylor.	Willacy.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

The bill was read third time and was passed by the following vote:

Yeas—28.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

Senator Weinert moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE CONCURRENT RESOLUTION NO. 16.

(By Unanimous Consent.)

The Chair laid before the Senate, Senate Concurrent Resolution No. 16, Endorsing Hon. Clark James for position as Commissioner to the Philippine Islands.

On motion of Senator Lattimore, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this resolution. (See Appendix for committee report.)

The committee report, which provided that the resolution be not printed, was adopted.

The resolution was read and adopted.

RECESS.

On motion of Senator Nugent, the Senate, at 12:30 o'clock p. m., recessed until 3 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SENATE BILL NO. 387—MADE SPECIAL ORDER.

Senator Gibson moved to take up Senate bill No. 387 and make it a special order for next Friday morning, following the conclusion of the morning call.

The motion was unanimously adopted.

SENATE BILL NO. 315.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 315, A bill to be entitled "An Act to authorize and empower the State Normal Schools Board of Regents of the State of Texas to acquire by purchase or condemnation for the use and benefit of any State normal school, which is now or may hereafter be, under the control of said board of regents, such lands within the counties where such schools or either of them, are now or may hereafter be located, as they may deem expedient for sites on which to erect and maintain buildings, and for the extension of the campus and other purposes in the conduct of any of the said State normal schools, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.
Brelsford.
Carter.
Collins.
Conner.
Cowell.
Darwin.

Gibson.
Greer.
Johnson.
Kauffman.
Lattimore.
McGregor.
McNealus.

Murray.
Nugent.
Paulus.
Real.
Taylor.
Terrell.

Townsend.
Vaughan.
Warren.
Watson.
Westbrook.
Willacy.

Absent.

Bailey.

Weinert.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

The bill was read third time and passed by the following vote:

Yeas—23.

Astin.
Bailey.
Brelsford.
Carter.
Collins.
Cowell.
Darwin.
Gibson.
Johnson.
Kauffman.
Lattimore.
Murray.

Nugent.
Paulus.
Real.
Taylor.
Terrell.
Townsend.
Vaughan.
Warren.
Watson.
Westbrook.
Willacy.

Absent.

Conner.
Greer.
McGregor.

McNealus.
Weinert.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

EXECUTIVE MESSAGE.

Governor's Office,
Austin, Texas, March 18, 1913.

To the Senate.

As per the request made by Senate Concurrent Resolution No. 14, I return herewith Senate bill No. 6 for your further consideration.

Respectfully,

O. B. COLQUITT,
Governor.

SENATE BILL NO. 221.

Action here recurred on the motion by Senator Lattimore to call up Senate

bill No. 221 as pending business under a special order, the question being on the point of order by Senator Watson that the Senate had already considered the bill, as a special order, at the time for which it was made a special order, and had completed that consideration by passing the bill to engrossment.

The Chair overruled the point of order, holding that the rules provided "that when a bill was made a special order that it could be considered from day to day until disposed with."

The Chair laid before the Senate, on third reading,

Senate bill No. 221, A bill to be entitled "An Act to make it unlawful to sell, barter or exchange spirituous, vinous and malt liquors or medicated bitters in quantities of one gallon or less, in any place in this State, other than a legally licensed saloon; defining a legally licensed saloon, naming certain places where such sales may not be made; forbidding such acts to be done by indirection; requiring legally licensed saloons to have signs of certain character at certain places; fixing penalties; providing for injunction in certain cases; making act cumulative of existing laws, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—15.

Brelsford.	Lattimore.
Carter.	Nugent.
Collins.	Taylor.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Gibson.	Westbrook.
Greer.	

Nays—8.

Bailey.	Terrell.
Kauffman.	Watson.
Murray.	Weinert.
Paulus.	Willacy.

Absent.

Astin.	McNealus.
McGregor.	

Absent—Excused.

Morrow.

PAIRED.

Senator Johnson (present), who would vote "yea," with Senator Hudspeth (absent), who would vote "nay."

Senator Real (present), who would vote "nay," with Senator Wiley (absent), who would vote "yea."

Senator Lattimore moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on Senate bill No. 4.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

SENATE BILL NO. 238.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 238, A bill to be entitled "An Act to validate all instruments proved or acknowledged before any woman who was commissioned as a notary public, and making such instruments admissible as testimony, and declaring an emergency."

The bill was read and Senator Watson offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 17, by adding after the word "acknowledges" the following, "or the duly certified copy of such instrument."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend bill, page 1, line 19, by striking out the word "extension" and insert the word "execution," and by inserting in line 21, after the word "married," the word "or."

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill, page 1, lines 27 and 28, by striking out the word "validate" and insert in lieu thereof the word "validated."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 27, by striking out the word "and" and inserting in lieu thereof the following: "to the extent that."

The bill was read second time and was ordered engrossed.

On motion of Senator Watson, the

constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.
McNealus.	

Absent.

Kauffman.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

The bill was read third time and was passed by the following vote:

Yeas—27.

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.
McNealus.	

Absent.

Kauffman.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

Senator Watson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 1.

The Chair laid before the Senate, on second reading,

Senate Joint Resolution No. 1, To amend Section 2 of Article 6, of the Constitution of the State of Texas, so as to authorize females to vote, and to

provide that the previous payment of a poll tax under the laws of the State of Texas shall not be a qualification of any voter; and providing that the Governor shall submit the same to the qualified voters of Texas at the general election of State officers in November, 1914, and appropriating five thousand (\$5,000.00) dollars, or so much thereof as may be necessary to pay the expense of carrying out the provisions of this resolution.

The committee report, with (committee) amendments, was adopted.

(President Pro Tem. Lattimore in the chair.)

The resolution was read, and the Senate refused to order same to engrossment by the following vote:

Yeas—8.

Collins.	Townsend.
Kauffman.	Vaughan.
McGregor.	Warren.
Terrell.	Westbrook.

Nays—19.

Astin.	Lattimore.
Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Watson.
Greer.	Weinert.
Johnson.	

Absent.

Willacy.

Absent—Excused.

Hudspeth.
Morrow.

Wiley.

SENATE JOINT RESOLUTION NO. 5.

The Chair laid before the Senate, on second reading,

Senate Joint Resolution No. 5, Providing for submitting to the qualified voters of Texas the calling of a convention to frame a new Constitution for the State of Texas, and providing for calling such convention and election of delegates thereto.

There being an adverse majority committee report and a favorable minority committee report, Senator Vaughan moved to substitute the minority (favorable) committee report in lieu of the majority (adverse) committee report, and Senator Murray moved, as a substitute, that the majority (adverse) committee report be adopted.

Senator Vaughan moved to table the substitute motion by Senator Murray, which motion to table was lost by the following vote:

Yeas—11.

Brelsford.	Taylor.
Collins.	Townsend.
Darwin.	Vaughan.
Johnson.	Warren.
Lattimore.	Westbrook.
McNealus.	

Nays—15.

Astin.	Nugent.
Bailey.	Paulus.
Carter.	Real.
Conner.	Terrell.
Cowell.	Watson.
Kauffman.	Weinert.
McGregor.	Willacy.
Murray.	

Absent.

Gibson.	Greer.
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Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

Action then recurred on the substitute motion to adopt the (adverse) majority committee report, and the same was adopted by the following vote:

Yeas—14.

Astin.	Nugent.
Bailey.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Kauffman.	Watson.
McGregor.	Weinert.
Murray.	Willacy.

Nays—12.

Brelsford.	McNealus.
Carter.	Taylor.
Collins.	Townsend.
Darwin.	Vaughan.
Johnson.	Warren.
Lattimore.	Westbrook.

Absent.

Gibson.	Greer.
---------	--------

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

Senator Watson moved to reconsider

the vote by which the majority committee report was adopted and lay that motion on the table.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 22.

The Chair laid before the Senate, on third reading,

Senate Joint Resolution No. 22, To amend Section 7, of Article 11, of the Constitution of the State of Texas, authorizing counties bordering on the Gulf of Mexico to build seawalls, by adding Section 7a, so as to authorize such counties to build seawalls and designate seawall reclamation districts for the protection of life and property from storm overflow, and to build or condemn land for seawall and reclamation districts, the county to have the State's title to the roads and bay shore line to low tide within the district, and the right to issue district bonds for acquiring and developing the district and building the seawall, and when district is developed as townsite to sell such portions of the land as not reserved for public use by the county."

The resolution was read third time, and passed by the following vote:

Yeas—24.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.

Nays—1.

Vaughan.

Absent.

Greer.	Willacy.
McGregor.	

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

Senator Kauffman moved to reconsider the vote by which the resolution was passed and lay that motion on the table.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 6.

The Chair laid before the Senate, on second reading,

Senate Joint Resolution No. 6, Proposing an amendment to Section 10, of Article 8, of the Constitution of the State of Texas, relating to taxation.

The committee report, with (committee) amendments, was read and pending.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

I move that Senators Hudspeth and Terrell be added to the committee on rules.

WEINERT.

The above was read, and Senator Vaughan moved to amend the motion by adding the names of all members of the Senate to the Committee on Rules.

The amendment to the motion was adopted.

Action recurred on the motion as amended, and the same is pending.

RECESS.

Senator Weinert, at 6:40 o'clock p. m., moved that the Senate recess until 8 o'clock tonight.

Senator Watson moved as a substitute that the Senate adjourn until 8 o'clock tomorrow morning, which motion was lost by the following vote:

Yeas—9.

Astin.	McGregor.
Bailey.	Murray.
Cowell.	Terrell.
Darwin.	Watson.
Kauffman.	

Nays—16.

Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Townsend.
Johnson.	Vaughan.
Lattimore.	Warren.
McNealus.	Weinert.
Nugent.	Westbrook.

Absent.

Gibson.	Willacy.
Greer.	

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

The Senate then recessed until 8:15 o'clock tonight.

AFTER RECESS.

(Night Session.)

The Senate was called to order by President Pro Tem. Lattimore.

SENATE BILL NO. 433.

(By Senator McNealus.)

The Chair laid before the Senate, on second reading,

Senate bill No. 433, A bill to be entitled "An Act to amend Articles 5832, 5833, 5834, 5835, 5836 and 5839, and Articles 29 and 30, Article 5860, Title 91, Chapter 3, of Revised Civil Statutes of 1911, relating to the State Militia, so that said Articles shall hereafter read as follows:"

Senator Brelsford offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 17, after the word "necessary" insert the following: "for the enforcement of the laws of this State."

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 4, by striking out all of line 2 after the word "punished," and all of line 3 and insert the following: "As an accessory to the crime."

(Senator Taylor in the chair.)

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, line 28, page 3, by inserting between the comma and the word "to" the following: "or by or on behalf of the State."

Senator Greer offered the following amendment, which was read and adopted:

Amend the bill, page 3, lines 12 and 13, by striking out all after the word "rebellion," in line 12, down to and including the word "Governor" in line 13.

Senator Collins offered the following amendment:

Amend the bill as follows: In line 17, page 3, after the word "punishable" strike out all down and including the word "State" in line 18, and insert the following: "As anyone else charged with the same offense in this State in the courts of this State having jurisdiction of the offense."

The amendment was read, and Sen-

ator McNealus moved to table same, which motion to table was lost by the following vote:

Yeas—10.

Astin.	McNealus.
Bailey.	Murray.
Conner.	Paulus.
Darwin.	Watson.
Gibson.	Weinert.

Nays—13.

Brelsford.	Nugent.
Carter.	Taylor.
Collins.	Terrell.
Cowell.	Townsend.
Greer.	Vaughan.
Johnson.	Westbrook.
Lattimore.	

Absent.

Kauffman.	Warren.
McGregor.	Willacy.
Real.	

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

Pending discussion, Senator Weinert moved that the bill be laid on the table, subject to call.

The motion prevailed.

(President Pro Tem. Lattimore in the chair.)

SENATE BILL NO. 297.

(By Senator Murray.)

The Chair laid before the Senate, on second reading,

Senate bill No. 297, A bill to be entitled "An Act making it a criminal offense, punishable by fine, for any person in this State, pursuing the business or occupation of a peddler, hawker of itinerant vendor of goods, wares and merchandise, to wilfully refuse to leave the premises owned or leased by another, after being notified by the person, or agent of the person, owning or in possession of such premises, to leave such premises."

The bill was read second time, and Senator Murray offered the following amendment, which was read and adopted:

Amend the bill by adding the following:

"Sec. 2. The fact of the near approach of the end of the session, and the further fact that many citizens of this State are being harrassed by

peddlers and vendors of wares refusing to leave the premises, especially when they find only ladies at home, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this bill take effect and be in force from and after its passage, and it is so enacted."

Senator Murray offered the following amendment, which was read and adopted:

Amend the caption by adding the following: "and declaring an emergency."

The bill was read second time and was passed to a third reading.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	

Absent.

McGregor.	Willacy.
Real.	

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

The bill was read third time and was passed by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Willacy.

Absent.
 McGregor. Real.
 Absent—Excused.
 Hudspeth. Wiley.
 Morrow.

Senator Murray moved to reconsider the vote by which the bill was passed and lay that motion on the table.
 The motion to table prevailed.

SENATE BILL NO. 421.

(By Senator Nugent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 421, A bill to be entitled "An Act to prohibit the creation of deficiencies of debts in the name of the State by regents, directors, officers or members of governing boards of any of the educational or eleemosynary institutions of the State of Texas; to prohibit the making of any contract inconsistent with existing laws, making invalid all such contracts and debts, providing for penalties for violations of this act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was ordered engrossed.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Astin.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.

Absent.

Bailey.	Real.
Kauffman.	Terrell.
McGregor.	Willacy.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

The bill was read third time, and was passed by the following vote:

Yeas—22.

Astin.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.

Absent.

Bailey.	Real.
Kauffman.	Terrell.
McGregor.	Willacy.

Absent—Excused.

Hudspeth.	Wiley.
Morrow.	

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 180.

(By Senator Paulus.)

The Chair laid before the Senate, on second reading,

Senate bill No. 180, A bill to be entitled "An Act to repeal Chapter 18 of the General Laws of the Thirty-first Legislature, relative to fire insurance companies; prescribing conditions for transacting business, and declaring an emergency."

There being a favorable majority committee report and an adverse minority committee report, Senator Terrell moved the adoption of the majority committee report, which motion prevailed.

Senator Watson offered an amendment.

The amendment by Senator Watson being all of Senate bill No. 387, after the enacting clause, Senator Brelsford made the point of order that the same was not germane to the bill under consideration in that it changed the purposes of the bill, the purposes of the bill under consideration being to repeal a law only.

The Chair, President Pro Tem. Lattimore, sustained the point of order, holding that the bill under consideration

sought to repeal a law and the amendment sought to repeal and in addition enact a law on the same subject.

The bill was read second time and ordered engrossed by the following vote:

Yeas—14.

Astin.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Greer.	Terrell.
McNealus.	Townsend.
Murray.	Weinert.

Nays—12.

Bailey.	Kauffman.
Conner.	Lattimore.
Cowell.	Vaughan.
Darwin.	Warren.
Gibson.	Watson.
Johnson.	Westbrook.

Absent.

McGregor. Willacy.

Absent—Excused.

Hudspeth. Wiley.
Morrow.

Senator Paulus moved to reconsider the vote by which the bill was ordered engrossed and lay that motion on the table.

The motion to table prevailed.

Senator Paulus moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading and final passage.

The motion was lost by the following vote, a two-thirds vote being necessary:

Yeas—15.

Astin.	Paulus.
Brelsford.	Real.
Carter.	Taylor.
Collins.	Terrell.
Greer.	Townsend.
McNealus.	Vaughan.
Murray.	Weinert.
Nugent.	

Nays—11.

Bailey.	Kauffman.
Conner.	Lattimore.
Cowell.	Warren.
Darwin.	Watson.
Gibson.	Westbrook.
Johnson.	

Absent.

McGregor. Willacy.

Absent—Excused.

Morrow. Wiley.
Hudspeth.

REASON FOR VOTE.

I vote "nay" for the reason that, while I favor some substantial amendments to the present law, I am opposed to its unconditional repeal.

COWELL.

ADJOURNMENT.

On motion of Senator Conner, the Senate, at 10:10 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

BILL SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

Senate bill No. 4, "An Act to prevent the pollution of the water courses or other public bodies of water of the State of Texas, providing a penalty therefor, and providing a means for the abatement thereof."

COMMITTEE REPORTS.

(Floor Reports.)

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 465, A bill to be entitled "An Act to create a more efficient road system for Stephens county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such and providing for their compensation as road commissioners and providing for the appointment of road overseers, and defining their duties and for the working of county convicts upon the roads of said county, etc., etc.,"

Have had the same under consideration, and beg leave to report the same

back to the Senate with the recommendation that it do pass and be not printed.
Terrell, Chairman; Westbrook, Townsend, McNealus.

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 466, A bill to be entitled "An Act to create a more efficient road law for Wharton county; fixing the per diem of the members of the commissioners court when acting as road commissioners; prescribing an allowance for team hire for members of said court and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Townsend, McNealus.

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

House bill No. 723, A bill to be entitled "An Act to create a special district court for the counties of Montgomery, Liberty, Chambers, Hardin, San Jacinto and Polk; to prescribe its jurisdiction, to limit its existence, to fix its terms, to conform all writs and process from said courts to the other district court in said counties to such change as are made in the jurisdiction of any of said courts by this act; to empower the judge of said special district courts and the judge of the Ninth Judicial District courts in said counties to transfer cases from his respective courts to the said courts as herein provided; to provide for the appointment of a judge for said special district court, to fix his salary and term of office; to provide that said special district courts created under this act shall not have a grand jury; to provide that said judge of said special district courts shall have the right to reconvene the grand jury of the Ninth Judicial District courts, and declaring an emergency,"

Have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass, and be not printed.

Nugent, Acting Chairman; Bailey, Taylor, Brelsford, Collins.

Committee Room,
Austin, Texas, March 17, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 460, A bill to be entitled "An Act to create a more efficient road system for Bastrop county, and declaring an emergency,"

And find the same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 18, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 436, A bill to be entitled "An Act to authorize the El Paso & Southwestern Railroad Company of Texas to lease, purchase, acquire and operate the line of railroad, and to acquire and cancel the capital stock of the El Paso and Northeastern Railroad Company, and declaring an emergency,"

And find the same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 18, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 448, A bill to be entitled "An Act to amend Title 13, Chapter 8, of the Penal Code, Revision of 1911, to amend Articles 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923; to add to said title and chapter, Articles 923a, 923b, 923c, 923d, 923e, 923f, 923g, 923h, 923i, 923j, 923k and 923l, and to repeal Articles 868 and 869, so as to provide for the better protection of the fish and oyster industries; to prohibit the taking and catching of fish and oysters during certain months; to prohibit seining for fish during certain months; prescribing the size and character of the seines and nets to be used in taking and catching fish; to prohibit the taking or killing of fish, terrapin or turtle, by means of dynamite or other explosives or poison; to require persons taking fish with seines or nets to return over and under sizes of edible

fish to the water; to require boats engaged in taking fish or oysters to be licensed; to prescribe license fees for boats and fishermen, and providing penalties; providing taxes to be paid by persons taking fish, oysters, turtles and terrapin from the waters of the State, and by dealers in said products; and defining dealer; to require oyster culls to be replanted broadcast upon the reefs from which taken; prohibiting oyster planting during certain months; to prohibit transportation companies from accepting shipments of oysters during certain months; making it unlawful to rake or dredge any public reef without a permit; prohibiting the sale of uncultured oysters; to prohibit the marketing of oysters taken from the reefs for planting; making it unlawful to gather seed oysters for planting; prohibiting persons from taking oysters from private reefs or beds; providing that the Game, Fish and Oyster Commissioner may permit the use of dredges on certain reefs; to prohibit the destruction or defacing of buoys, markers or fences designating a private oyster bed or any closed waters; to prohibit the sale or shipment of any green turtles or terrapins under certain weights; to require screens on the ends of water pipes through which waters are taken from public waters; defining the duties of the Game, Fish and Oyster Commissioner and his deputies; prescribing their compensation; and providing for the appointment of deputies; providing for the closing of overworked or damaged oyster reefs, and to prohibit the taking of oysters therefrom; declaring nets, seines, boats and other paraphernalia or device used for unlawfully taking fish from public waters to be nuisances; and providing for the summary abatement and destruction of same; and prohibiting any master, mate or other person from taking any boat, seine or net into prohibited waters, or from using same in unlawfully taking of fish for the purpose of causing the destruction of same or injuring the owner; prescribing how catches of fish and oysters shall be weighed and measured, and requiring records to be kept of same; prohibiting persons from obstructing or diverting any of the waters of this State; and prescribing penalties for all infractions of the provisions of this chapter, and repealing the laws or parts of laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 221, A bill to be entitled "An Act to make it unlawful to sell, barter or exchange spirituous, vinous and malt liquors or medicated bitters in quantities of one gallon or less, in any place in this State, other than a legally licensed saloon; defining a legally licensed saloon, naming certain places where such sales may not be made; forbidding such acts to be done by indirection; requiring legally licensed saloons to have signs of certain character, at certain places; fixing penalties; providing for injunction in certain cases; making act cumulative of existing laws, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 246, A bill to be entitled "An Act to define, regulate and control fraternal benefit societies; defining a lodge system and a representative form of government; providing for the issuance of certificates and the investment and distribution of funds; limiting membership and beneficiaries in said societies; naming the duties and authority of the Commissioner of Insurance and Banking; fixing an annual license and way to cancel same; providing for the valuation of policies and how to ascertain the solvency of said societies; regulating foreign and certain domestic societies; providing that beneficiary associations heretofore organized shall be subject to the provisions of this law; repealing Chapter 36, Acts of the First Called Session of the Thirty-first Legislature and Chapter 22, Acts of the Second Called Session of the Thirty-first Legislature, and Chapter 92, Acts of the Regular Session of the Thirty-second Legislature, and all other laws in conflict therewith, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 432, A bill to be entitled "An Act to amend Chapter 68, of the Thirty-second Legislature, and to provide that sand taken for the raising of the grade on Galveston Island shall be exempt from the provisions of Chapter 68, and providing an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 443, A bill to be entitled "An Act to amend Section 16 of Chapter 21 of the Local and Special Laws of the Thirty-first Legislature, Regular Session, approved March 8, 1909, entitled 'An Act to repeal Chapter 31 of the Local and Special Laws of the Thirtieth Legislature of Texas, creating a special road system for Williamson county, Texas, and declaring an emergency,'"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 462, A bill to be entitled "An Act to amend Sections 4 and 5 of Article 4, of Chapter 33, Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith,' so as to provide for the issuance of bonds not to run for a period longer than forty years and not to exceed ten per cent of the assessed value of all taxable property, real, personal and mixed in the city of Denison, Texas, and declaring an emergency."

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 12, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 271, and find it correctly enrolled, and have this day, presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 4, and find it correctly enrolled, and have this day, at 4:30 o'clock p. m., presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

House bill No. 11, A bill to be entitled "An Act to amend Chapter 121 of the Acts of the Regular Session of the Twenty-eighth Legislature, entitled 'An Act to provide for the protection of honey bees against foul brood and other contagious diseases, and providing that all bee keepers report to the State Entomologist when infectious diseases exist; providing for collecting the expense of eradicating the disease, and fixing the charges upon the owner or agent of the bees; providing for the extermination of all contagious diseases; and providing penalties for the violation of any of the provisions of this act,' and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

ASTIN, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

House bill No. 461, A bill to be entitled "An Act to provide for the creation of farmers' county public libraries; pre-

scribing the method to be pursued and making it the duty of the commissioners court to prescribe rules and regulations for the management thereof,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed.

ASTIN, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

House bill No. 382, A bill to be entitled "An Act to create in the Department of Agriculture a division known as the Marketing Bureau; providing for the appointment of an officer in charge of same, to be designated the Chief of the Marketing Bureau of the Texas Department of Agriculture, and specifying his compensation, defining his duties, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

ASTIN, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Committee on Public Health, to whom was referred

Senate bill No. 446, A bill to be entitled "An Act requiring the physical examination of school children for the detection of corrective physical defects and the prevention of the spread of communicable disease among children,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of the Committee on Public Health, to whom was referred

Senate bill No. 446, A bill to be entitled "An Act requiring the physical examination of school children for the detection of corrective physical defects and

the prevention of the spread of communicable disease among children,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

McNEALUS.

REAL.

ASTIN.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 187, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, and be not printed.

PAULUS, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 464, A bill to be entitled "An Act to authorize any interurban railway company, heretofore or hereafter incorporated under the laws of this State, and any street railway company, owning and operating an interurban line of railway between any cities or towns in this State, and incorporated under the laws of this State to purchase or otherwise acquire, maintain and operate all the properties and franchises of street railway companies and suburban railway companies heretofore or hereafter incorporated under the laws of this State; and to authorize such street railway companies and suburban railway companies to sell their properties and franchises to such interurban railway companies and to such street railway companies owning and operating an interurban line of railway between any cities or towns in this State; and to authorize any street railway company and any suburban railway company heretofore or hereafter incorporated under the laws of this State, to purchase or otherwise acquire, maintain and operate all the properties and franchises of interurban railway companies, owning and operating an interurban line of railway between any cities or

town, in this State, and incorporated under the laws of this State; and to authorize interurban railway companies, heretofore or hereafter incorporated under the laws of this State, and street railway companies owning and operating an interurban line of railway, between any cities or towns in this State, to sell all their properties and franchises to such street railway companies and to such suburban railway companies owning and operating an interurban line of railway, between any cities or towns in this State, to sell all their properties and franchises to such street railway companies and to such suburban railway companies; and repealing so much of any and all laws as may be in conflict herewith,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass:

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public Health, to whom was referred

House bill No. 259, A bill to be entitled "An Act to authorize the sterilization of a certain class of criminals, lunatics and epileptics and syphilitics and persons with a hereditary tendency to congenital diseases of mind or body, who are now or may hereafter be confined in any eleemosynary or penal institution in the State of Texas; to the end that procreation by such classes may be prevented; and to provide for the appointment of a board or boards, whose duty it shall be to decide in what cases sterilization is advisable for the benefit of the person and society, and to prescribe regulations and means by which said operation of sterilization may be performed, and to provide for the payment of any expense incurred by any of the provisions of this act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 454, A bill to be entitled "An Act to provide for the erection of a monument over the remains of Colonel Burleson in the State Cemetery, at Austin, Texas, to make an appropriation therefor, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 451, A bill to be entitled "An Act to amend Section 10, Chapter 23 of the General Laws of the First Called Session of the Thirtieth Legislature, as amended by Chapter 114, Acts of Thirty-first Legislature so as to extend the time within which and prescribe conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties may pay the same and have their right to do business revived, by extending until the first day of September, A. D. 1913, the time during which corporations embraced within the terms of said act may pay to the Secretary of State franchise taxes and penalties referred to in said act and have their rights to do business revived; and providing for forfeiture of the charters of such domestic corporations as may fail to do so, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 461, A bill to be entitled "An Act authorizing and directing the Superintendent of Public Buildings and Grounds, with the approval of the Governor, to sell and convey certain tracts or parcels of land belonging to the State of Texas, situated in the city of Austin, prescribing the manner and conditions of making sales thereof, and exempting from the provisions of said act and

withholding from sale that tract of land belonging to the State of Texas, situated in the city of Austin and known as the Temporary Capitol Grounds, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with following amendments:

Page No. 1, strike out all beginning with the words "tract No. 1," down to the words "tract No. 2;" beginning with the words "tract No. 2," on page No. 1, strike out all on said page to and including the words "as follows." Page 2 of the bill, strike out all of said page, beginning with the word "all" at top of page down to the words "tract No. 6," on said page. Amend the words "tract No. 6," by striking out the figure "6," and inserting the figure "1." In the words "tract No. 7," on page 2 of the bill, strike out the figure "7" and insert the figure "2." On page 3 of the bill, in the words "tract No. 8," strike out the figure "8" and insert the figure "3." On page 3 of the bill, strike out the words "tract No. 9." down to the words "Section 2," on said page.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 456, A bill to be entitled "An Act to permit B. E. Eastham to institute and prosecute a suit in the district court of Walker county, Texas, against the State of Texas, and against the Prison Commission of the State of Texas, for damages for the breaches, if any, and the failure, if any, to perform the duties and discharge the obligations arising out of the contract made on or about the 12th day of January, A. D. 1910, between the said B. A. Eastham and J. A. Herring as superintendent, and A. M. Barton as financial agent, of the Texas State Penitentiaries for the cultivation of the farm of the said B. A. Eastham in Walker county, Texas, on the share farm system with convict labor for a term of two years commencing on January 1, A. D. 1910, and ending December 31, A. D. 1911,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 290, A bill to be entitled "An Act to amend Article 6177, Title 104, Chapter 1 of the Revised Civil Statutes of the State of Texas, adopted at the regular session of the Thirty-second Legislature, fixing the salary of Prison Commissioners and providing for the payment of their reasonable and necessary traveling expenses and providing that the members of said prison board may reside either at Rusk or Huntsville penitentiary or at such other place as may be designated by a majority of said prison commissioners, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate:

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 147, A bill to be entitled "An Act appropriating the sum of five thousand dollars or so much thereof as may be necessary, out of the general revenue not otherwise appropriated to pay the expense of the survey of the King's Highway and erecting suitable monuments to mark the same, and providing a penalty for destruction or defacement of such monuments,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 293, A bill to be entitled "An Act to amend Article 6201, Title 104, Chapter 2, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, providing that it shall be the duty of the Prison Commission to make suitable provision and

regulation for the safe and speedy transportation of prisoners from counties where sentenced to the penitentiaries, either at Rusk or at Huntsville, as said commission may elect, by the sheriff of such respective counties, if such sheriffs are willing to perform such service as cheaply as said commission can have it done otherwise. Said transportation shall be on State account, and in no instance shall the prisoners be carried direct from the county jails to the said farms, but shall first be carried to either penitentiaries at Rusk or at Huntsville, where the character of labor which each prisoner may reasonably perform shall be determined. Upon the arrival of each prisoner at the penitentiaries at Rusk or at Huntsville, the Prison Commission shall cause a statement to be made by the prisoner, giving a brief history of his life, and showing where he has resided, the names and post office addresses of his facts as will tend to show his past immediate relatives and such other habits and character; and the Prison Commission shall, by correspondence or otherwise, verify or disprove such statements of practical, and shall preserve the record and information so obtained for future reference."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room.

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 455, A bill to be entitled "An Act granting permission to Imperial Sugar Company, a corporation, incorporated under and by virtue of the laws of the State of Texas, located at Sugar Land, Fort Bend county, to bring suit in the district court of Travis county, Texas, against the State of Texas, for the recovery of certain sums of money advanced and for merchandise and personal property sold and delivered to the Board of Prison Commissioners of the State of Texas for and in behalf of the State, and to recover damages for breach of contract existing between said Imperial Sugar Company and said Board of Prison Commissioners for and in behalf of the State, and for waste and destruction committed by said Board of Prison Com-

missioners upon the plantation and properties, real and personal, of Imperial Sugar Company, while in the possession of and under the control of said Board of Prison Commissioners in behalf of the State of Texas, as lessee, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 452, A bill to be entitled "An Act to authorize the payment of a certain sum out of the funds appropriated for the maintenance of the Confederate Home to such inmates of the Home as may desire to accept such payment, and leave the Home, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Joint Committee Substitute for Senate bills Nos. 48, 144 and 76, A bill to be entitled "An Act to provide for better protection of the fish and oyster industries of this State,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,

Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 356, A bill to be entitled "An Act to amend Article 204, Title 5, Chapter 3, of the Penal Code of the State of Texas, relating to drunkenness,"

Have had the same under consideration and I am instructed to report the

same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 448, A bill to be entitled "An Act to repeal Article 551, Title 2, Chapter 4, of the Revised Criminal Statutes of Texas, 1911, and to re-number Article 558, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 819, A bill to be entitled "An Act to amend Section 2, Chapter 78, of the General Laws exempting Wood county in regard to the taking of fish,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 472, A bill to be entitled "An Act to amend Title 9, Chapter 4, Articles 884 and 885, Code of Criminal Procedure, and to provide for the place where judgments of death by electrocution shall take place,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 782, A bill to be entitled "An Act to amend Section 2, Chapter 49, page 45, of the General Laws passed at the Regular Session of the Twenty-first Legislature, exempting Franklin county in regard to the taking of fish,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred

Senate Concurrent Resolution No. 16, Endorsing Hon. Clark James for position as Commissioner to the Philippine Islands,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WESTBROOK, Chairman.

PETITIONS AND MEMORIALS.

By Senator Conner:

Telegram signed by members of the Ballinger, Texas, bar requesting that the nine juror bill be voted against.

By Senator Townsend:

Numerously signed petition expressing opposition to House bill No. 17 by Mr. Parks of Dallas county, and favoring the Lattimore bill which seeks to regulate Sunday amusements.

By Lieutenant Governor Mayes:

Letter addressed to Secretary Hower-ton expressing thanks for the complimentary resolution of the Senate, signed by David F. Houston, Secretary of Agriculture, Washington.

FORTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, March 19, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum present, the following Senators answering to their names: